

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE**

D.T., a minor, by and through his)	
parents B.K.T. and B.H.T.,)	
)	
Plaintiffs,)	Case No. 3:18-cv-00388
)	
v.)	
)	
SUMNER COUNTY SCHOOLS)	Judge William L. Campbell, Jr.
and VENA STUART)	
ELEMENTARY SCHOOL,)	Magistrate Judge Alistair Newbern
)	
Defendants.)	

STATUS REPORT

NOW COME Plaintiffs D.T., a minor, by and through his parents B.K.T. and B.H.T.¹ (“Plaintiffs”), by and through counsel, and pursuant to this Court’s Order dated October 3, 2018 provide the following status report on the state truancy proceedings.

1. On March 9, 2018, Defendants Sumner County Schools (“District”) and Vena Stuart Elementary School (“VES”) filed a Truancy Petition against Plaintiffs in the case captioned *In re: D.T. - Melanie Webster, et al. v. B.H.T. and*

¹ Plaintiffs are identified with initials pursuant to Fed.R.Civ.P. 5.2 so as to protect the identity of the minor child as such would be obvious if the full name of the parents were pleaded.

B.K.T., Juvenile Court for Sumner County, Case No. 2018-JR-129 (the “truancy case”).

2. On December 6, 2018, Judge David Howard held trial in the truancy case.

3. On the same date, Judge Howard found Plaintiffs guilty of the charge of truancy pursuant to the 2017 version of TCA §49-6-30041 *et seq.* (the “TN compulsory attendance statute”), sentenced Plaintiffs to costs, and warned Plaintiffs that they must enroll their child in a state-approved school or risk future additional truancy charges.

4. The parties are awaiting the entry of Judgment from the truancy case and the transcript of the hearing, at which time Plaintiffs intend to file a motion for injunctive relief in this Court. Plaintiffs have provided notice via letter to Defendants’ counsel regarding the impending motion. (A true and correct copy of the December 10, 2018 letter is attached hereto as Exhibit A.)

Dated: December 11, 2018

Respectfully submitted,

By: /s/ Robert C. Thurston
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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I, Robert C. Thurston, do hereby certify that I served counsel of record for Defendants listed below, all of which are eFilers, the foregoing document by causing the same to be sent via the ECF system on December 11, 2018:

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* Admitted in NJ and PA

EXHIBIT A

December 10, 2018

VIA EMAIL ONLY

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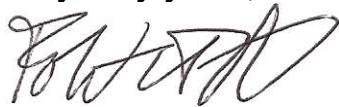
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**Re: D.T., et al. v. Sumner County Schools, et al.
In re Dalton Tippitt**

Dear Ms. Arivett and Mr. Presnell:

Please accept this letter as formal notice pursuant to Fed.R.Civ.P. 65(b)(1)(B) that Plaintiffs D.T., a minor, by and through his parents B.K.T. and B.H.T. ("Plaintiffs") intend to file their Second Emergency Motion for Temporary Restraining Order and Preliminary Injunctive Relief in the matter captioned *D.T., et al. v. Sumner County Schools, et al.*, U.S.D.C. M.D.Tenn. Civil No. 3:18-cv-00388 immediately upon receipt of the entry of the Judgment in the truancy matter captioned *In re: D.T. - Melanie Webster, et al. v. B.H.T. and B.K.T.*, Juvenile Court for Sumner County, Case No. 2018-JR-129 by Judge Howard.

Very truly yours,



Robert C. Thurston, Esq.

cc: Counsel for D.T., B.K.T. and B.H.T. (via email only)
Client (via email only)